

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6460

BILL NUMBER: SB 358

NOTE PREPARED: Dec 10, 2007

BILL AMENDED:

SUBJECT: Voter Deception.

FIRST AUTHOR: Sen. Breaux

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: The bill provides that a person who knowingly or intentionally deceives another person regarding: (1) the date, time, place, or manner of an election; or (2) the qualifications for a voter or restrictions on voter eligibility at the election; commits a Class D felony.

Effective Date: July 1, 2008.

Explanation of State Expenditures: *Penalty Provision:* A person that culpably deceives another person, under the above conditions, would be committing a Class D felony. A Class D felony is punishable by a prison term ranging from six months to three years or reduction to Class A misdemeanor depending upon mitigating and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class D felony offenders is approximately ten months.

Background: An individual was incarcerated in a DOC facility in November 2006 for voting in a precinct that the person was not registered, a Class D felony. The incarcerated individual is the only known DOC commitment for a violation of the election code during FY 2007.

Explanation of State Revenues: If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class D felony is \$10,000. However, any additional revenues would likely be small.

Explanation of Local Expenditures: If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Department of Correction.

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